

4374
1 BILL NO. Z-79-02-08

2 ZONING MAP ORDINANCE NO. Z-12-79


3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. L-10

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
6 FORT WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is hereby
8 designated a M-1 District - Light Industrial under the terms of
9 chapter 33, Municipal Code of the City of Fort Wayne, Indiana,
10 1974; and the symbols of the City of Fort Wayne Zoning Map No.
11 L-10, referred to therein, established by Section 33-11, of said
12 Chapter are hereby changed accordingly, to wit:

13 Lots 38, 40, 42 and 44 of the Northside Addition
14 in Fort Wayne, Indiana.

15 SECTION 2. That this Ordinance shall be in full force
16 and effect from and after its passage, approval by the Mayor and
17 legal publication thereof.

18
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20 
21 Councilman
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27 APPROVED AS TO FORM
28 AND LEGALITY,
29 
30 CITY ATTORNEY
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Read the first time in full and on motion by Nuckols, seconded by

W. Schmidt and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and ~~Public Hearing to be held after due legal notice~~, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E. S. T.

DATE: 2-13-79

Charles W. Winterman
CITY CLERK

Read the third time in full and on motion by Nuckols

seconded by V. Schmidt, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>0</u>		<u>2</u>	
<u>BURNS</u>	<u>✓</u>				
<u>HINGA</u>				<u>✓</u>	
<u>HUNTER</u>	<u>✓</u>				
<u>MOSES</u>				<u>✓</u>	
<u>NUCKOLS</u>	<u>✓</u>				
<u>SCHMIDT, D.</u>	<u>✓</u>				
<u>SCHMIDT, V.</u>	<u>✓</u>				
<u>STIER</u>	<u>✓</u>				
<u>TALARICO</u>	<u>✓</u>				

DATE: 4-10-79

Charles W. Winterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE

(RESOLUTION) No. 2-12-79 on the 10th day of April, 1979
ATTEST: (SEAL)

Charles W. Winterman
CITY CLERK

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1979, at the hour of 2 o'clock P M., E. S. T.

Charles W. Winterman
CITY CLERK

Approved and signed by me this 17th day of April, 1979
at the hour of 4:00 o'clock 8 M., E. S. T.

Robert E. Schenck
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 13, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-02-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 19, 1979.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission, held March 26, 1979.

Certified and signed this
28th day of March 1979.

Thomas J. Adams

Thomas Adams
Secretary

Bill No. Z-79-02-08

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. L-10

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

JOHN NUCKOLS - CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

DATE

4-10-79
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Date

1-17

1978

No.

10698

Received From

Gallucci & Moliere

Address

Lincoln Bank Tower

Fifty

00/100

Dollars \$

50.00

For

rezoneing p-3 to M-1

ACCOUNT

HOW PAID

AMT. OF
ACCOUNT

CASH

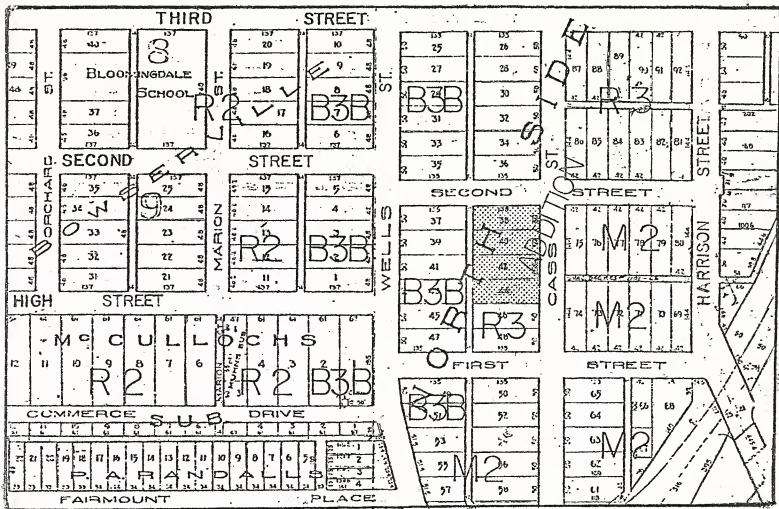
AMT. PAID

CHECK

BALANCE
DUEMONEY
ORDER

By

A+B



 REZONE FROM R3 to M1

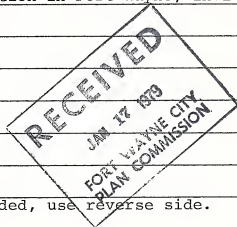
MAP NO. L-10

E-79-02-08

I/We RKO BOTTLERS of FORT WAYNE, INC. and SCHEELE & SONS CO., INC.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of
Fort Wayne, Indiana, by reclassifying from M/an R-3 District
to M/an M-1 District the property described as follows:

Lots 38, 40, 42 and 44 of the Northside Addition in Fort Wayne, Indiana



(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owners(s) of fifty-one percentum (51%) or more of the property described in this petition.

RKO Bottlers of Ft. Wayne 4646 U.S. 24 West

By: Robert Stange Fort Wayne, Indiana

Its: Robert Stange Fort Wayne, Indiana Robert Stange
(Name) President (Address & Zip Code) (Signature)
(If additional space is needed, use reverse side) SEE OVER

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.
William T. Hopkins, Jr. 6th Floor, Lincoln Bank Tower
Gallucci & Moliere Ft. Wayne, Indiana 46802 424-3800
(Name) (Address & Zip Code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

4314

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-79-02-08

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lots 38, 40, 42 and 44 Northside Addition in Fort Wayne
Indiana.

EFFECT OF PASSAGE Property is now zoned R-3 District - Multiple Family Residential.
Property will become M-1 District - Light Industrial.

EFFECT OF NON-PASSAGE Property will remain R-3 District - Multiple Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -- room 122

April 18, 1979

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of April 23 and 30, 1979, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Zoning Map Ordinances:

Bill No. Z-79-02-04
(as amended)
Zoning Map Ordinance NO. Z-11-79

Bill No. Z-79-02-08
Zoning Map Ordinance No. Z-12-79

Bill No. Z-79-02-35
Zoning Map Ordinance No. Z-13-79

Bill No. G-78-10-31
General Ordinance No. G-10-79

Please send us 16 copies of the Publisher's Affidavit from both newspapers.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 10th day of April, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-02-04 (as amended)--- Zoning Map Ordinance No. Z-11-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-14 and M-14

Notice is hereby given that on the 10th day of April, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-02-08 --- Zoning Map Ordinance No. Z-12-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-10

Notice is hereby given that on the 10th day of April, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-02-35 --- Zoning Map Ordinance No. Z-13-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-7 and Repealing Zoning Map Ordinance No. Z-04-79

Notice is hereby given that on the 10th day of April, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-78-10-31 --- General Ordinance No. G-10-79, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street

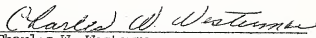
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-02-04 (as amended) --- Zoning Map Ordinance No. Z-11-79; Bill No. Z-79-02-08 --- Zoning Map Ordinance No. Z-12-79; Bill No. Z-79-02-35 --- Zoning Map Ordinance No. Z-13-79 and Bill No. G-78-10-31 --- General Ordinance No. G-10-79, were passed by the Common Council on the 10th day of April, 1979, and said Ordinances were duly signed and approved by the Mayor on the 17th day of April, 1979, and now remains on file and on record in my office.

Copies of said Bill No. Z-79-02-04 (as amended) --- Zoning Map Ordinance No. Z-11-79; Bill No. Z-79-02-08 --- Zoning Map Ordinance No. Z-12-79; Bill No. Z-79-02-35 --- Zoning Map Ordinance No. Z-13-79 and Bill No. G-78-10-31 --- General Ordinance No. G-10-79, will be posted in the following places in Fort Wayne, Allen County, Indiana.

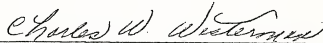
- (1) The main floor lobby of the City-County Building
- (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of said Bill No. Z-79-02-04 (as amended) --- Zoning Map Ordinance No. Z-11-79; Bill No. Z-79-02-08 --- Zoning Map Ordinance No. Z-12-79; Bill No. Z-79-02-35 --- Zoning Map Ordinance No. Z-13-79 and Bill No. G-78-10-31 --- General Ordinance No. G-10-79, will be posted in the following places in Fort Wayne, Allen County, Indiana, for reading.

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana


Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated above on April 20, 1979.


Charles W. Westerman
City Clerk

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines	
Head	number of lines	
Body	number of lines	97
Tail	number of lines	1
Total number of lines in notice		98

COMPUTATION OF CHARGES

08 lines, 1 columns wide equals 08 equivalent lines at .2594 \$ 25.36
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge 0 cents for each proof in excess of two) 7.00
\$ 32.36

DATA FOR COMPI

Width (1) The main floor of the City-County Building
Size of type 5 1/2 point
Numb (2) The bulletin board in the lobby at the East door of the Allen County Court House
Size of quad upon which type is cast 3 1/2

Pursuant to the provi 1967.

I hereby certify that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvella Dewald

Title CLERK

April 30
Notice is hereby given that on the 10th day of April, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-02-04 (as amended) - Zoning Map Ordinance No. Z-11-79, being an ORDINANCE amending the City of Fort Wayne Zoning Map No. L-14 and M-14.

Notice is hereby given that on the 10th day of April, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-02-05 - Zoning Map Ordinance No. Z-12-79, being an ORDINANCE amending the City of Fort Wayne Zoning Map No. L-10.

Notice is hereby given that on the 10th day of April, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-02-06 - Zoning Map Ordinance No. Z-13-79, being an ORDINANCE amending the City of Fort Wayne Zoning Map No. L-7 and Repealing Zoning Map Ordinance No. Z-64-79.

Notice is hereby given that on the 10th day of April, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-02-07 - Zoning Map Ordinance No. Z-14-79, being an ORDINANCE amending the City of Fort Wayne Zoning Map No. L-7 and Repealing Zoning Map Ordinance No. Z-64-79.

Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-02-04 (as amended) - Zoning Map Ordinance No. Z-11-79; Bill No. Z-79-02-05 - Zoning Map Ordinance No. Z-12-79; Bill No. Z-79-02-06 - Zoning Map Ordinance No. Z-13-79; Bill No. Z-79-02-07 - Zoning Map Ordinance No. Z-14-79; being an ORDINANCE amending the City of Fort Wayne Zoning Map No. L-7 and Repealing Zoning Map Ordinance No. Z-64-79.

PUBLISHER'S AFFIDAVIT

Indiana
County SS:
Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

4/23-30/79

Subscribed and sworn to before me this 30th day of April 1979

Arvella Dewald

Notary Public

My commission expires September 28, 1979

Common Council of Fort Wayne

(Governmental Unit)

Allen

County, Ind.

To... NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

97

1

98

COMPUTATION OF CHARGES

98

1

98

.2594

\$ 25.38

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

7.00

TOTAL AMOUNT OF CLAIM.

\$ 32.38

DATA FOR COMPUTING COST

Wide

Num

Pursuant to the pro

I hereby certify that has been paid.

April 30

Date

Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-78-10-31 - General Ordinance No. G-10-79, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-02-04 (as amended) - Zoning Map Ordinance No. Z-11-79; Bill No. Z-79-02-08 - Zoning Map Ordinance No. Z-12-79; Bill No. Z-79-02-35 - Zoning Map Ordinance No. Z-13-79 and Bill No. G-78-10-31 - General Ordinance No. G-10-79, were passed by the Common Council on the 10th day of April, 1979, and said Ordinances were duly signed and approved by the Mayor on the 17th day of April, 1979, and now remains on file and on record in my office.

Copies of said Bill No. Z-79-02-04 (as amended) - Zoning Map Ordinance No. Z-11-79; Bill No. Z-79-02-08 - Zoning Map Ordinance No. Z-12-79; Bill No. Z-79-02-35 - Zoning Map Ordinance No. Z-13-79 and Bill No. G-78-10-31 - General Ordinance No. G-10-79, will be posted in the following places in Fort Wayne, Allen County, Indiana.

(1) The main floor of the City-County Building

(2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

(3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of said Bill No. Z-79-02-04 (as amended) - Zoning Map Ordinance No. Z-11-79; Bill No. Z-79-02-08 - Zoning Map Ordinance No. Z-12-79; Bill No. Z-79-02-35 - Zoning Map Ordinance No. Z-13-79 and Bill No. G-78-10-31 - General Ordinance No. G-10-79, will be posted in the following places in Fort Wayne, Allen County, Indiana, to-wit:

(1) Reference Room in the north end of the main floor in said Downtown Public Library

(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

Charles W. Westerman, City Clerk

Size of type..... 5 1/2point

Size of quad upon which type is cast. 5 1/2

1967.

correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

V. E. Gerken

Title..... CLERK

PUBLISHER'S AFFIDAVIT

of Indiana
N County SS:

I, _____, a notary public in and for said county and state, the signed..... V. E. GERKEN who, being duly sworn, says he is..... CLERK of the

NEWS-SENTINEL

DAILY

_____ newspaper of general circulation printed and published English language in the city of FORT WAYNE, INDIANA town _____

te and county aforesaid, and that the printed matter attached hereto is a true copy, was duly published in said paper for..... two times..... the dates of publication being

w/s:

4/23-30/79

bed and sworn to before me this

30th

day of

Notary Public

September 28, 1979

My commission expires.....

Notice is hereby given that on the 10th day of April, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-02-04 (as amended) - Zoning Map Ordinance No. Z-11-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-10

Notice is hereby given that on the 10th day of April, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-02-35 - Zoning Map Ordinance No. Z-13-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-7 and Repealing Zoning Map Ordinance No. Z-54-79

Notice is hereby given that on the 10th day of April, 1979, the Common

Common Council of Fort Wayne

(Governmental Unit)

To..... **NEWS-SENTINEL****Allen**

.....County, Ind.

FORT WAYNE, INDIANA**PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

97**1****98****COMPUTATION OF CHARGES**

98 **1** **982** **2504** **\$ 25.38**
 lines columns wide equals equivalent lines at cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

7.00

TOTAL AMOUNT OF CLAIM.

\$ 32.38**DATA FOR COMPUTING COST**

Width of single column 9.9 cms

Size of type **5 1/2** pointNumber of insertions **2**Size of quad upon which type is cast **5 1/2**

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date **April 30 1979**Title..... **CLERK****PUBLISHER'S AFFIDAVIT**State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned..... **V. E. GERKEN** who, being duly sworn, says that she is..... **CLERK** of the

NEWS-SENTINEL**DAILY**

a..... **DAILY** newspaper of general circulation printed and published in the English language in the city of **FORT WAYNE, INDIANA** town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for..... **two times**, the dates of publication being as follows:

4/23-30/79

Subscribed and sworn to before me this

30th

day of

Notary Public

September 28, 1979

My commission expires.....

th have a list of the names of the persons who are to be at the meeting, and in his efforts to see that all of them are present.

appears to be at the meeting, and in his efforts to see that all of them are present.

ANSWER

ANSWER

ANSWER

ANSWER

ANSWER

ANSWER

ANSWER

ANSWER

ANSWER

ANSWER

ANSWER

Notice is hereby given that on the 10th day of April, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-02-08 — Zoning Map Ordinance No. Z-12-79, being an ORDINANCE amending the City of Fort Wayne Zoning Map No. L-10.

Notice is hereby given that on the 10th day of April, 1979, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-02-35 — Zoning Map Ordinance No. Z-13-79, being an ORDINANCE amending the City of Fort Wayne Zoning Map No. L-7 and Repealing Zoning Map Ordinance No. Z-64-79.

Notice is hereby given that on the 10th day of April, 1979, the Common

ing, Fort Wayne, Charles W. W. abroad, I, Charles W. the City of Fort filled and posted levels nances in the d stated above on ducts. T Charles W. West margi 4-23-30 z game.